

disputes that “may warrant court intervention.” Doc. 32 at 4. Defendants have not responded to the Motion to Amend but Plaintiffs’ filing indicates that Defendants do not consent to it.

On June 4, 2021, Plaintiffs filed the Motion for Examination, which requests an order requiring Defendant Roger Lane Reed to submit to an independent eye examination and vision test. Doc. 34. Defendants have not responded to that motion, but Plaintiffs’ counsel advises that he has conferred with defense counsel and that as of the date of the filing an agreement had not been reached.

In short, though discovery has been open for over nine months, Plaintiffs state that they have identified some issues that now “may” require court intervention. One of those issues—the possible independent medical examination of Defendant Roger Reed—has apparently become an actual disputed matter and is the subject of the Motion for Examination. It is not clear, however, whether any other discovery issues have materialized, and in any event, Plaintiffs have not requested a conference with the undersigned with regard to the independent medical examination or any other current specific discovery issue. See Doc. 15 at III(B).

Under these circumstances, the undersigned has closely considered whether the pending motions should be denied without prejudice. However, so that the matter can progress efficiently, and in order to conserve judicial

resources, the parties will be given a brief opportunity to address specific outstanding discovery disputes that may reasonably require court intervention.

IT IS THEREFORE ORDERED THAT:

1. Counsel for the parties are **DIRECTED** to confer in good faith regarding any remaining discovery disputes, including the Motion for Examination (Doc. 34) and the other potential issues identified in the Motion to Amend. Counsel shall file, on or before **NOON on June 14, 2021**, a joint memorandum, not to exceed five pages, briefly describing their positions on any material disputes that remain.
2. The Clerk is respectfully directed to schedule a status conference on or after June 15, 2021.

Signed: June 8, 2021



W. Carleton Metcalf
United States Magistrate Judge

